

**CIVIL CASE NO. 1:11cv254**

**Defendant.**

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## ORDER OF REMAND

Sentence four of 42 U.S.C. § 405(g) provides, in pertinent part, that “[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” The Defendant here has moved for reversal of his decision and for remand of this case for further administrative proceedings.

The Court finds that remand is appropriate. See Melkonyan v. Sullivan, 501 U.S. 89, 111 S.Ct. 2157, 115 L.Ed.2d 78 (1991). Upon remand to the Commissioner, the Appeals Council shall instruct the ALJ to: (1) update the Plaintiff's medical records; (2) obtain a psychological medical expert review of the updated record with an opinion as to the severity of any mental impairments, whether the requirements of any Listing-level impairment are met or equaled, and the extent of any mental functional limitations; (3) reconsider Plaintiff's residual functional capacity (RFC) in light of the updated record and psychological expert opinion evidence; (4) conduct a new administrative hearing with vocational expert testimony as needed to clarify the impact of a revised RFC on Plaintiff's ability to perform work at the relevant exertional level; and (5) issue a new decision based on the total record, which addresses Plaintiff's alleged physical and mental impairments throughout the five-step disability evaluation process.

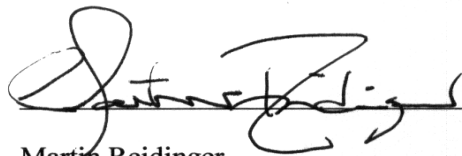
**IT IS, THEREFORE, ORDERED** that the Defendant's Assented to Motion for Entry of Judgment under Sentence Four of 42 U.S.C. § 405(g) with Reversal and Remand of the Cause to the Defendant [Doc. 16] is **GRANTED**.

**IT IS FURTHER ORDERED** that the decision of the Commissioner of Social Security is hereby **REVERSED** and this case is hereby **REMANDED** for further administrative proceedings, consistent with this Order.

The Clerk of Court shall enter a separate Judgment of Remand simultaneously herewith. The Clerk of Court is notified that this is a final judgment closing the case.

**IT IS SO ORDERED.**

Signed: June 26, 2012

  
Martin Reidinger  
United States District Judge

